

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Vicky Rodriguez	Team: Team # 4	CCRB Case #: 200407562	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 08/03/2004 10:00 PM	Location of Incident: § 87(2)(b) Bronx	Precinct: 50	18 Mo. SOL 2/3/2006	EO SOL 2/3/2006	
Date/Time CV Reported Thu, 08/05/2004 10:43 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 08/05/2004 10:43 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Julio Delgado	02981	918927	050 PCT
2. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM George Whittaker	22754	905633	050 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Julio Delgado	Abuse: Sgt. Julio Delgado threatened to arrest § 87(2)(b)	§ 87(2)(b)
B. Officers	Abuse: Officers seized § 87(2)(b)'s property.	§ 87(2)(b)
C. Officers	Abuse: Officers entered and searched § 87(2)(b)'s home.	§ 87(2)(b)
D. Officers	Abuse: Officers damaged § 87(2)(b)'s property.	§ 87(2)(b)

### Synopsis

On August 3, 2004, at approximately 10:00 p.m. officers responded to a 911 call placed by § 87(2)(b) to report her § 87(2)(b) old daughter missing. When § 87(2)(b) told the officers that she was going to call the CCRB, Sgt. Julio Delgado (918927) threatened to arrest her (*Allegation A: Abuse, threat of arrest*). § 87(2)(b) was subsequently arrested for obstruction of governmental administration, filing a false report and endangering the welfare of a child. § 87(2)(b) stated that while she was in custody, officers stole the keys to her home, and then entered and searched her home, and damaged her property (*Allegations B, C and D: Abuse, property seized, entered and searched premise, damaged property*). § 87(2)(b) also stated that she had \$1600 dollars stolen from her home, and this allegation was referred to IAB (Log #04-23682).

It is recommended that Allegations B, C and D be pleaded against “officers,” because the identity of the subject officer(s) could not be determined.

Between August 12<sup>th</sup> and August 13<sup>th</sup> two calls were made to § 87(2)(b). During those phone calls, § 87(2)(b) provided statements regarding the incident. On August 24<sup>th</sup> § 87(2)(b)'s lawyer, § 87(2)(b) granted the CCRB permission to interview § 87(2)(b). The next day a message was left on § 87(2)(b)'s home number advising her of § 87(2)(b)'s decision and the need to schedule her for an interview. On August 27<sup>th</sup>, § 87(2)(b) called the CCRB to advise that she did not want to provide a statement without having a lawyer present. § 87(2)(b) did not want to state whether or not she had obtained a civil lawyer and said she would call the investigator back with her decision. Between August 30<sup>th</sup> and September 1<sup>st</sup> two messages were left on § 87(2)(b)'s home phone and two call letters were sent to § 87(2)(b)'s home address. The final call letter and phone call specified that § 87(2)(b) had to get back to the investigator by September 8<sup>th</sup> or else her case would be closed. § 87(2)(b), § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: